

Remarks

Claims 5-7, 9-21, 28, 38 and 40-44 were pending.

Claims 5-7, 9-21, 28, 38 and 40-44 are cancelled.

Claims 45-67 are new.

The application now contains claims 45-67.

Claims 45-67 are fully supported by the respective claims 5-7, 9-21, 28, 38 and 40-44 which are now cancelled, and the new claims represent versions of the now cancelled claims which are amended mainly to aid clarity.

The material claimed in the new claims is essentially the same as that claimed in the earlier claims except that, in new claim 45, which corresponds to cancelled claim 5, R₂ in formula I can no longer be phenyl and in new claim 47, which corresponds to cancelled claim 7, multiple ranges are removed from the definition of variable Z. All the other amendments to the claims are for clarity alone, by rewording certain clauses, rearranging the order in which the values of certain the variables are listed and by eliminating the confusing appearances of the word "or". The reason for presenting new claims instead of marked up amended claims is that the goal of the amendments was to aid in clarity, however, the significant cross outs and underlining that would have been needed in amended claims 5 and 7 would have made the claims very difficult to read.

No new matter is added.

Before addressing the present rejections Applicants respectfully note that in the Office Action Summary, the Action is non-final but on page 10 of the Action, it states that the Action is final. Applicants refer to the phone conversation of May 28, 2009 wherein the examiner clarified that as this is the first Action after a RCE, it is a non-final Action. Applicants thank the Examiner for this clarification and also thank the Examiner for his helpful guidance regarding the present 112 second paragraph rejections.

Rejections

Claims 5, 7 and dependent claims were rejected under 35 USC 112 second paragraph as being confusing given the multiple combinations of "and" and especially "or". Applicants have significantly reworked portions of claims 5 and 7 (as new claims 45 and 47) to remove the ambiguity caused by the previous wording. Other indefinite phrases have also been amended for clarity. Applicants believe that the claims are now much more clearly defined and that the rejections under 35 USC 112 second paragraph have been addressed and are overcome. Applicants therefore kindly ask that the rejections be withdrawn.

Claims 5, 6 and 19-21, which correspond to instant claims 45, 46 and 58-60, are rejected under 35 USC 103(a) as being obvious over Borden et.al., US 3,943,103 in view of McGinniss, US 3,847,771, Schadeli et al., US 5,558,978 and Nakanishi et al., US 5,439,545. The present rejections are similar to the previous rejections of these claims.

Applicants respectfully traverse the rejections.

The instant amendments delete phenyl as a value for R2 in compounds of formula I, thus the claims no longer include as component (d) benzoin or benzil dimethyl ketal and there now exists no overlap with Schaedeli. Applicants respectfully submit that none of the cited art recites the compounds of component (d) of instant claims 45, 46, 59 and 60 and that the combination thereof does not meet the limitations of the instantly amended claims. Regarding claim 58, Applicants refer to their previous response and respectfully note that when Schadeli refers to common free radical initiators in col 10 line 16, it is not in the context of a plasma reaction.

Applicants respectfully submit that the rejections under 35 USC 103(a) over Borden et.al., US 3,943,103 in view of McGinniss, US 3,847,771 and Schadeli et al., US 5,558,978 and Nakanishi et al., US 5,439,545 as they relate to claims 45, 46 and 58-60 are overcome and kindly ask that the rejections be withdrawn.

Claims 7, 28, 38 and 40-44, which correspond to instant claims 47 and 61-67, are rejected under 35 USC 103(a) over Borden US 3,943,103 above in view of McGinness, US 3,847,771 and Toba JP 10158039 and Schadeli, US 5,558,978 Nakanishi et al., US 5,439,545. The present rejections are similar to the previous rejections of these claims.

Applicants respectfully traverse the rejections.

Applicants respectfully note that neither Toba nor the other cited art disclose the compounds of component (d) in claims 47 and 61-67 and that the combination of art does not meet the limitations of the instantly amended claims.

Applicants respectfully submit that the rejections under 35 USC 103(a) over Borden US 3,943,103 in view of McGinness, US 3,847,771, Toba JP 10158039, Schadeli, US 5,558,978 and Nakanishi et al., US 5,439,545 as they relate to claims 47 and 61-67 are overcome and kindly ask that the rejections be withdrawn.

Claims 9-18, which correspond to new claims 48-57 are rejected under 35 USC 103(a) over Borden US 3,943,103 above in view of McGinness, US 3,847,771 and Klinkenberg, US 2002/0076504 and Schadeli, US 5,558,978 Nakanishi et al., US 5,439,545. The present rejections are similar to the previous rejections of these claims.

Applicants respectfully traverse the rejections.

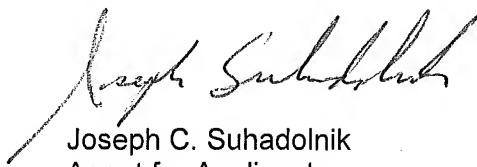
The instant amendments delete phenyl as a value for R2 in compounds of formula I, thus the claims no longer include as component (d) benzoin or benzil dimethyl ketal and there now exists no overlap with Schaedeli. Applicants respectfully submit that none of the cited art recites the compounds of component (d) of instant claims 48-57 and that the combination of art does not meet the limitations of the instantly amended claims.

Applicants respectfully submit that the rejections under 35 USC 103(a) over Borden US 3,943,103 above in view of McGinness, US 3,847,771, Klinkenberg, US 2002/0076504, Schadeli, US 5,558,978 and Nakanishi et al., US 5,439,545 as they relate to claims 48-57 are overcome and kindly ask that the rejections be withdrawn.

Applicants respectfully take the position that while the art on occasion mentions the use of plasma in the same applications wherein UV curing is used, there are significant differences between the two methods, e.g., the intensity of the radiation in plasma is much higher than that encountered in UV curing and differences caused by this increase in energy can lead to unwanted complications. Chemistry is frequently noted to be a non-predictive art. Even though certain elements of the instant claims can be found in combinations of the art, Applicants respectfully point out that even with the combinations of 4 and more published patents the combined art does not meet the limitations of the claims in their present form.

Applicants therefore respectfully submit that all rejections are addressed and are overcome and kindly ask that they be withdrawn and claims 45-67 be found allowable. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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